IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF SEPTEMBER, TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

WRIT PETITION NO. 19776 OF 2007

Between:

Smt. PSV Jaya Lakshmi.

… Petitioner

and

The Visakhapatnam Muncipal Corporation, Rep. By its Commissioner, Visakhapatnam

… Respondent

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

WRIT PETITION NO. 19776 OF 2007

ORAL ORDER:

The petitioner is constructing a residential building as per the approved plan (GF + 4 florrs) in her land admeasuring 5687.5 sq. yards, situated at Waltair Uplands, Visakhapatnam, as per the sanctioned plan. But, however, on 14.9.2007 at 3.00 p.m. the staff of the respondent-corporation came to the land of the petitioner and demarcated certain portions of the constructed area and resorted

demolition of the balcony on the 2nd floor, without assigning any reasons and without issuing any notice under Section 452 of the HMC Act.

2. The grievance of the petitioner is that no notice was served on the petitioner, and no sufficient time was granted to the petitioner to submit her explanation. Therefore, the Petitioner has come up with the present writ petition.

3. After hearing both sides and considering the rival contentions, without going into the merits of the matter, the writ petition is disposed of directing the Respondent-Corporation to serve a notice on the petitioner and give a week's time to the petitioner for filing her explanation from the date of service of notice on the petitioner, and after considering her explanation, the Respondent is at liberty to pass appropriate orders and take appropriate action in accordance with law.

4. The writ petition is accordingly disposed of. No costs.

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S. Ananda Reddy, J.

Dt. 17..09..2007

Note: Issue operative
Portion by wire at party's
costs. (bo)
Kvh

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

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